Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	MB Docket 19-193
Amendments of Parts 73 and 74 to	)	MB Docket 17-105
Improve LPFM Technical Rules	)	
	)	

REPLY COMMENTS ON PROPOSED RULEMAKING BY
KVIB-LP/POSITIVE HOPE, INC.

Positive Hope, Inc., ("PHI") licensee of Low Power FM station KVIB-LP San Diego, California here submits this Reply Comment concerning the Notice of Proposed Rulemaking ("NPRM") that aims to improve the LPFM technical rules. PHI thanks the Commission for its support of Low Power FM service. LPFM has allowed local community groups to start stations to cover issues of concern that have been neglected by commercial broadcast outlets. PHI also commends the Commission on opening this opportunity to improve upon LPFM's technical rules.

As an LPFM station licensee in San Diego, close to the Mexican border, it was a challenging process permitting our station in the desired broadcast location due to the inflexibility of the LPFM technical rules guiding the use of directional antennas. We agree with commenters regarding the rule change that would permit LPFM to utilize directional antennas. This would permit stations like ours simplified ways to adhere to the treaty that limits FM signals across the US-Mexico border. The proposed rule would allow much more flexibility for broadcast site relocation and power.

There are a number of additional changes to LPFM rules suggested by the Commission and other commenters that we believe would help LPFM, including lifting of Channel 6 protections, the rules guiding the liberalization of minor change of location (the overlapping of existing and proposed service contours), and having the availability to use FM boosters. Two commenters mentioned that LPFM should be able to use "Type Accepted" transmitters, as "Type Accepted" and "Type Certified" are the same. We agree with that. Furthermore, the flexibility of co-located LPFMs utilizing a common EAS unit, such as a share-time channel, if installed to FCC specification, would be a cost-saving agent avoiding redundant equipment purchase.

While the FCC's recommendations for technical changes are readily embraced, there is some disappointment that the FCC has not taken up the issue of soliciting comments concerning LP-250 service. The reasoning provided within the NPRM for not pursuing LP-250 does not appear to be sufficiently reasoned. During the Low Power FM proceeding in 2012, the FCC essentially tabled the topic of LP-250 for another time. The proposal was not disregarded. Furthermore, there is nothing explicitly written in the Local Community Radio Act that precludes the FCC prescribing higher wattages for LPFM.

The reasoning behind LPFM licensees requesting more power is that many LPFM stations are facing the same coverage problems. As the FM band grows more congested with "rim shot" translators and maximized full power stations (including proposals for a new class of FM full power stations that is seen as an upgrade to Class A stations), LPFM services, with their spacing and height limitations, do not have

interference-free service within their protected contour areas. In the case of KVIB-LP, it was a challenge spacing-wise to find an antenna location that worked. Placing KVIB-LP on the air was also difficult due to the clunkiness of the minimum spacing rules. We had to find a location that cleared second-adjacent interference, interference to Mexico, was high enough to allow the minimum coverage, conformed to zoning, and complied with height limitations around an airport. All these factors are not problems for translators because they can co-locate at high-elevation broadcast sites with directional antennas to dodge interference contours. Because of these minimum spacing issues, LPFM is confined to locating in lower elevation residential neighborhoods and commercial areas where there are tower height restrictions. Because of this, many LPFM stations are forced into inefficient coverage. The signals broadcast from these types of sites are impeded by trees and buildings. Sometimes co-channel "rim shot" translators can be received in the LPFM's coverage area because the translators are located on mountains and have superior "line of sight" coverage. Talking with other LPFM stations, it appears we all have these type of signal limitation problems.

At KVIB-LP, we see it as our duty to represent all the underrepresented voices within San Diego because we are the only community Low Power FM station that was granted in the city. We would have wished for multiple LPFM services like this to serve the diverse cultures and backgrounds of the various San Diego neighborhoods, however we have been told no more channels exist for these purposes. We counted roughly 13 or 14 translators in the San Diego metropolitan area compared to about

three LPFM services. It is unfortunate that some of these channels were not reserved for LPFM use as guided by the Local Community Radio Act.

Because KVIB-LP is the only community service in San Diego, we have to strive to cover and represent many neighborhoods. This is difficult with the hilly terrain of the region. Many LPFM services in other cities are in the same boat as us: struggling as the only community low power service in the city, while there are several times more translators covering several times the coverage area of LPFM.

The FCC has devoted rulemaking to assist AM broadcasters with their limited coverage with the use of translators. The FCC has also devoted a proceeding to limit complaints regarding translators so that service can thrive. LPFM could also use regulatory assistance concerning its interference issues too.

We believe that upgrading from LP-100 to LP-250 is justified in the face of the reasoning provided above.

Submitted by,

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for Positive Hope, Inc,
and KVIB-LP

November 3, 2019